

Remarks

Reconsideration of the present application is respectfully requested. No new matter has been added. The Office Action recites that claims 1-20 are pending in the application. By this amendment, claims 1-20 have been cancelled and new claims 21-40.

In the Office Action, the Examiner applied only two references. The primary reference cited is U.S. Patent No. 6,385,301 issued to Nolting et al. ("Nolting"). This reference has been applied in rejecting numerous claims as being anticipated under 35 U.S.C. § 102.

A claim is anticipated only if each and every element as set forth in the claim is found. See MPEP § 2131 and *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). It is not enough that the prior art reference discloses all claimed elements in isolation. Rather, anticipation requires the presence of each and every element of the claimed invention arranged as in the claim.

The new claims 21-40 each contain numerous limitations not found in Nolting. The new claims have been presented to highlight the differences between the present invention and Nolting. The present invention is a method of analyzing the traffic patterns of vendor platforms for network-traffic-management purposes. This is particularly useful for forecasting the future impact of possible increases or decrease in customer traffic. E.g., moving a customer from a first platform to a second platform. With the process, the user is able to look at the effect the change would have on the first versus second platforms.

The process further enables a system administrator to forecast the necessary network resources required by the change. It also thus enables the administrator to determine cost effectiveness based on said comparison. These two aspects of the process enable the user to answer "what if" types of questions regarding the addition or subtraction of traffic from

particular vendor platforms. For example, the administrator may have a particular client which generates a significant amount of traffic on platform A. The administrator may wonder how moving this client's traffic onto platform B might affect the hourly traffic patterns of both platforms. The present invention would enable the administrator to forecast future impact of the shift by viewing the historical traffic trends.

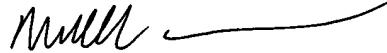
These claimed processes are not disclosed, or suggested by Nolting. Nolting discloses a monitoring system that is used to track network traffic. The present invention is instead directed to forecasting methods based on historical data.

The second reference cited by the examiner, U.S. Patent No. 5,768,352 issued to Elliott et al. ("Elliott") also fails to disclose all of the limitations of the claimed invention – even when combined with Nolting. Elliott discloses a system for selectively obtaining telephone network call statistics. Elliott does not disclose the traffic per platform management processes as claimed.

Thus, because none of Nolting, Elliott, or any of the other references as of now cited singly, or in combination show all of the claimed limitations of any of the claims, we the application is now in condition for allowance.

If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action. The Commissioner is hereby authorized to charge \$230 plus any other required amount, and to credit any overpayment, to Deposit Account No. 21-0765.

Respectfully submitted,



Marshall S. Honeyman
Reg. No. 48,114

MSH/tjd

SHOOK, HARDY, & BACON L.L.P.
2555 Grand Blvd.
Kansas City, MO 64018-2613
816/474-6550

CORRESPONDENCE ADDRESS:

KEVIN D. ROBB
KSOPHT0101-Z2100
SPRINT COMMUNICATIONS COMPANY, LP
6391 SPRINT PARKWAY
OVERLAND PARK, KANSAS 66251-2100
PHONE: 913/315-9269
FAX: 913-315-0762